

Memorandum



Date: August 18, 2005

To: Honorable Chairman Joe A. Martinez, and Members
Board of County Commissioners

RTC
Agenda Item No. 3 (U)

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of George M. Burgess.

Subject: Work Order Approval Recommendation for the People's Transportation Plan (PTP)
Project Entitled, ADA Sidewalk Consultant Design per Access Now (Project #
20050071)

RECOMMENDATION

The attached **Work Order Approval Recommendation** between ADAAG Consulting, Inc., and Miami-Dade County has been prepared by the Public Works Department (PWD) and is recommended for approval. Proceeds from the Charter County Transit Surtax will be used to fund this Work Order, therefore, approval by the Board of County Commissioners (BCC) and Citizens' Independent Transportation Trust (CITT) is required.

BACKGROUND

The aforementioned work order will provide consultant services based on the settlement agreement between Access Now, et. al. vs. City of Miami, et. al. Case No. 02-21413-CIV-Moreno/Garber. The Scope of Work according to the settlement agreement is as follows: ADAAG Consulting Services, LLC (ACS) will survey and report on all County owned pedestrian public-rights-of-way in Commercial Areas (as defined in the settlement agreement) within the City of Miami as they relate to its compliance with the relevant sections of the "Field Survey Protocol & Checklist for Accessible Rights-of-Way for Sidewalks, Street Crossings, Pedestrian Facilities and Elements" that incorporates the relevant portions of the Americans with Disabilities Act Accessibility Guidelines, Appendix A to Part 36 as published on July 26, 1991 (the "ADAAG") and the Accessible Rights-of-Way Design Guide ("PROWAC"). All areas will be physically walked and issues will be identified, quantified, and accessed and photographed. ACS will also include a prioritized list of County-owned curb cuts and sidewalks and related areas relevant to pedestrian activity on County roads by persons with disabilities in the commercial areas within the City of Miami.

The consultant will also provide comprehensive reports on their findings detailing the issue for each barrier found and a proposed correction to mitigate each barrier. Photographic documentation will be provided as well to evaluate the "Level of Priority" for each barrier. In addition, ACS will provide construction costs estimates for the repairs based on current Miami-Dade County Public Works Department contract figures.

Specifically, PWD will be using this contract with ACS to evaluate ADA accessibility to bus stops on County maintained roads within the limits of the City of Miami. Through this evaluation, solutions and construction plans will be developed by the consultant so PWD can procure a construction contractor to perform the installations and repairs of the sidewalks. The cost of this work order will be \$125,000.00.

Since proceeds from the Charter County Transit System Sales Surtax levied pursuant to Section 29.121 of the Code of Miami-Dade County will be used to pay for the cost of this work order, no award shall be effective and thereby give rise to a contractual relationship with the County unless and until the following have occurred: 1) the County Commission awards the contract, and such award becomes final (either by expiration of 10 days after such award without veto by the Mayor, or by Commission override of a veto); and, 2) either, i) the Citizens' Independent Transportation Trust (CITT) has approved same, or, ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

FISCAL IMPACT

The funding source for this project is the Charter County Transit Surtax. The fiscal impact will be \$125,000.00. The proposed improvements qualify under the People's Transportation Plan (PTP) Neighborhood Improvements Section. Funding for ADA Accessibility to bus stops is identified under PTP Countywide Neighborhood Improvements.



Assistant County Manager



Date



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 8, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING WORK ORDER FOR THE
PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT
BETWEEN ADAAG CONSULTING, INC., AND MIAMI-DADE
COUNTY ENTITLED ADA SIDEWALK CONSULTANT
DESIGN PER ACCESS NOW (PROJECT # 20050071)

WHEREAS, this Board desires to accomplish the purposes outlined in the
accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS**, that this Commission approves work order for the People's
Transportation Plan (PTP) project between ADAAG Consulting, Inc., and Miami-Dade
County entitled ADA Sidewalk Consultant Design per Access Now (Project # 20050071)
in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner _____, who moved for its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Joe. A. Martinez, Chairperson
Dennis C. Moss, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Carlos J. Gimenez	Sally A. Heyman
Barbara Jordan	Dr. Barbara Carey-Shuler
Katy Sorenson	Dorrian D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of September, 2005. This resolution shall become effective as follows: (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

MIAMI-DADE COUNTY, FLORIDA
BY THIS BOARD OF
COUNTY COMMISSIONERS
HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. BZ

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08/14/05 TUE 13:04 TX 000020710

MIAMI-DADE COUNTY
PUBLIC WORKS DEPARTMENT
Road & Bridge Canal Mt
WORK ORDER FOR ENGINEERING SERVICES

To: ADAAG CONSULTING INC

Date: 03/10/2005

For: ACCESS NOW, Inc vs City of Miami Case No. 02-21413-
CIV-MORENO/GARBER

Project No: 20050071

Resolution No:

Resolution Date:

Work Order No: 1

PTP

Time for Completion: 180 Calendar days.

Pay request will be processed after 100% submittal is complete.

Estimate Const. Cost: \$125,000.00

Work Order Amount: \$125,000.00

Funds Available: PTP

Index Code: CPEPTP100ADA . 21410 lw 3/23/05 \$125,000.00

Approval Path:

[Signature] 3/10/05
Road and Bridge project manager

Date

[Signature] 3/22/05
PTP COORDINATOR

Date

[Signature] 3/23/05
Finance Approver

Date

Finance Review

Date

[Signature] 3/23/05
Public Works Director

Date

[Signature] 3/15/05
Division Chief

Date

RECEIVED
MAR 22 2005

PUBLIC WORKS DEPT.
FINANCE DIVISION

January 20th, 2005

VIA FACSIMILE & EMAIL (305) 592-5719

Dulce M. Rodriguez-Sirgado, P.E.
Section Head, Bridge Engineering,
ADA Coordinator for M-DPWD
Miami-Dade Public Works Department
9301 NW 58 Street, Miami FL 33178

RE: ADA Report of Counties Public Rights-of-Way in Commercial Area within the
City of Miami Per Access Now, et. al. v. City of Miami, et. al. Case No. 02-21413-CIV-
MORENO/GARBER

Dear Dulce:

As a follow-up to our meeting and per your request the following is our scope of work and proposal corresponding to the above referenced settlement agreement between Access Now and City of Miami, et. al.

1. Scope of Work.

ACS (*ADAAG Consulting Services, LLC*) will survey and report on all County owned pedestrian public-rights-of-way in Commercial Areas (*as defined in section 1G of the above referenced settlement agreement*) within the City of Miami as they relate to its compliance with the relevant sections of the "Field Survey Protocol & Checklist for Accessible Rights-of-Way for Sidewalks, Street Crossings, Pedestrian Facilities and Elements" that incorporates the relevant portions of the Americans with Disabilities Act Accessibility Guidelines, Appendix A to Part 36 as published on July 26, 1991 (the "ADAAG") and the Accessible Rights-of-Way Design Guide ("PROWAC"). All areas will be physically walked and issues (architectural barriers) will be identified, quantified, accessed and photographed. ACS will also include a prioritized list of County-owned curb cuts and sidewalks and related areas relevant to pedestrian activity on County Roads (*as defined in section 1D of the above referenced settlement agreement*) by persons with disabilities in the commercial areas within the City of Miami (*as defined in section 2B of the above referenced settlement agreement*)

2. Reports.

ACS will submit a comprehensive written report and CD Rom using Title II ADA Transition plan format which will meet the criteria identified and agreed upon in "*section B of the above referenced settlement agreement*" The report will include the following:

- Identification of each specific segment of public-rights-of-way;
- Text description of each architectural barrier found (barrier to access);
- Relevant Code Section of each architectural barrier as to the "*Field Survey Protocol & Checklist for Accessible Rights-of-Way for Sidewalks, Street Crossings, Pedestrian Facilities and Elements*"
- A Proposed Correction to mitigate each architectural barrier;

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- The applicable ADAAG Architectural Figure baseline to mitigate corresponding architectural barriers;
- A photographic reference of each architectural barrier (digital);
- Evaluation of the "Level of Priority" for each architectural barrier (*as defined in section 2B of the above referenced settlement agreement*)
- A list of survey notes applicable to specific architectural barrier

3. **Additional Scope of Work Requested:**

ACS will provide the additional scope of work that has been requested by members of your Department. The additional scope of work is as follows:

- ACS will email to the corresponding "Team Metro" the Architectural Barriers encountered while on our surveys that related to issues that are to be mitigated by "Team Metro Personnel". A list of sample issues and email process will be agreed upon by the parties before the initiation of the surveys.
- ACS will provide a line item construction cost estimate for each "architectural barrier" encountered. The construction estimate will be based on the corresponding unit analysis previously submitted to us by the ADA Coordinator for M-DPWD, which we understand mirror and correspond to the FDOT Construction Standards currently adopted by the County.
- ACS will identify and photograph the location of all bus stops encountered while on our survey in order to maximize our field presence and also capture data in assisting the "Nesbitt" case, among others.

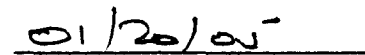

Our Proposal for the above referenced scope of work will be \$ 125,000.00 (one hundred twenty five thousand dollars). We understand that the above referenced scope of work is to be expedited as "time is of the essence". With this in mind we will commit and allocate the manpower to survey and deliver the scope of work on or before 60 calendar days from the signing of this proposal.

Accepted:

DATE:



Dulce M. Rodriguez-Sirgado, P.E.
Section Head, Bridge Engineering,
ADA Coordinator for M-DPWD
Miami-Dade Public Works Department

Richard Londono, Assoc. AIA
ADAAG Consulting Services, LLC (ACS)
For the Firm

January 20th, 2005

11/04/04 THU 18:18 FAX

001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 02-21413-CIV-MORENO/GARBER

ACCESS NOW, INC., a Florida
non-profit corporation, and
Christ Tavantzis,

Plaintiffs,

v.

THE CITY OF MIAMI, a municipal
corporation, MIAMI-DADE COUNTY,
FLORIDA DEPARTMENT OF
TRANSPORTATION, and
THOMAS F. BARRY, JR., in his official capacity
as the Secretary of the Florida Department
of Transportation,

Defendants.

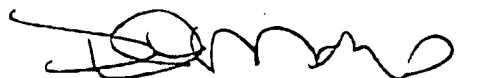
STIPULATION

Plaintiffs and Defendant, Miami-Dade County (the "County") stipulate to an enlargement of time in which to comply with the terms of the settlement agreement with and state as follows:

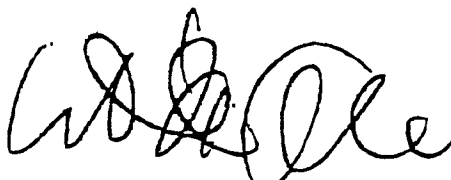
1. The County and Plaintiffs entered into a settlement agreement on May 19, 2003 (the "Settlement Agreement").
2. Pursuant to the terms of the Settlement Agreement, the County was to deliver to Plaintiffs with an accessibility report of public rights-of-way for commercial roads within the confines of the City of Miami by May 29th, 2003. See Settlement Agreement, ¶ 2(A). After more than a year, no report has been produced because no report exists to produce.

3. The Parties have agreed that Plaintiffs' expert, Richard Londono, Assoc. AIA (the "Expert"), will conduct the appropriate survey of the County commercial rights-of-way within the City of Miami and produce the report required to continue with the implementation of the remedial plan contemplated in the Settlement Agreement. The County will compensate the Expert \$100,000.00 at the time of completion of the scope of work.

Agreed this 4th day of November 2004.



David Everett Marko, Esq.
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Miguel de la O
Fla. Bar No. 822700
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Attorneys for Defendant Miami-Dade County



STEPHEN P. CLARK CENTER

2125104

ADAAG CONSULTING SERVICES LLC (ACS)
MR. RICHARD LONDONO 651047571
1385 CORAL WAY PH401
MIAMI, FL. 33145

DEPARTMENT OF PROCUREMENT MANAGEMENT
BIDS AND CONTRACTS DIVISION
111 N.W. 1st STREET
SUITE 1300
MIAMI, FLORIDA 33128-1974
(305) 375-5289
FAX: (305) 375-4407

VENDOR REGISTRATION PART II

DEPARTMENT OF PROCUREMENT MANAGEMENT ADMINISTRATION AND FISCAL DIVISION

Your application and/or paper work have been successfully processed and your company is now registered as an active vendor for the current year with Miami-Dade County. However, In order to provide more specific future bid information, please review the attached commodity class listing and circle the commodity codes or place a check mark by all commodity codes that your company is able to provide. **This list is a breakdown of the original commodities that you chose as part of the Vendor Application.**

**Department of Procurement Management
Office of Vendor Assistance
111 NW 1 ST, 13th Floor
Miami, FL 33128
Telephone: (305) 375-5773
Fax: (305) 372-6184**

You may return the list by mail to the above address.

THANK YOU FOR YOUR COOPERATION AND PROMPTNESS

**MIAMI-DADE COUNTY
OFFICE OF VENDOR ASSISTANCE**

LINK TO: VENDOR APPLICATION INFORMATION 1:46 PM
VENDOR NO : 651047571 - ADAAG CONSULTING SERVICES LLC SUFFIX : 01
VENDOR FED TAX/SSN: DPM REGISTER : A ACTIVE
STREET ADDRESS : 1385 COPAL WAY PH401

CITY : MIAMI	STATE : FL	ZIP : 33145
IND 2004	IND 2005	IND 2006
VENDOR APP FEE : Z N/A		
OCCUP. LICENSE : Y 02/10/2004		
STATE CORP : Y 02/10/2004	PRE-QUALIFIED DATE :	
DISCLOSURE I : Y 02/10/2004	EXPIRATION DATE :	
DISCLOSURE II : Y 02/10/2004	TYPE OF ORGANIZATION : P	
CUBA AFFIDAVIT :	CURRENTLY IN BUSINESS : Y	
DRUG FREE : Y 02/10/2004	LAST UPDATED BY USER : HVICKI	
FAMILY LEAVE : Z N/A	LAST UPDATE DATE : 02/10/2004	
W-9 FORM : Y 02/10/2004	PREVIOUS FED ID :	
	DEPT REG/CERT PROCESS :	
COMMENTS :		

F1-HELP	F2-SELECT	F3-DELETE	F4-PRIOR	F5-NEXT VEN	F6-ADDTL VEN
F7-REGISTER		F9-LINK	F10-SAVE	F11-ADDRESS	F12-VEN MAINT
G014 - RECORD FOUND					

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